

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

ROGER GILLIARD,)	
)	
Plaintiff,)	CIVIL ACTION NO.: 2:12-867-DCN
)	
-versus-)	C O M P L A I N T
)	(JURY TRIAL DEMANDED)
GREAT LAKES REINSURANCE)	
(U.K.) PLC,)	
)	
Defendant.)	
)	

Plaintiffs allege as follows:

1. Plaintiff is a citizen and resident of Berkeley County, South Carolina. Upon information and belief, Defendant is an insurance company organized under one of the laws of a state of the United States other than South Carolina, and transacts business in South Carolina.

2. On August 4, 2011, Plaintiff's home, and all contents located therein, were destroyed by an accidental fire. At the time of this loss, Plaintiff was insured by a homeowners' policy issued by Defendant, which specifically provided for benefits caused by accidental fire.

3. Plaintiff has filed for benefits pursuant to the previously mentioned policy; however, Defendant has refused to pay benefits.

FOR A FIRST CAUSE OF ACTION
BREACH OF CONTRACT

4. Paragraphs 1 through 3 are incorporated herein by reference.

5. This cause of action is brought pursuant to Section 38-59-40, Code of Laws of South Carolina (1976), as amended.

6. Defendant has breached the insurance contract existing between the parties by failing to pay Plaintiff's claim within ninety days after demand has been made.

7. Plaintiff is entitled to payment of all benefits due under the insurance contract, plus attorney's fees.

FOR A SECOND CAUSE OF ACTION
BAD FAITH

8. Paragraphs 1 through 7 are incorporated herein by reference.

9. Defendant has, without just cause and in bad faith, refused to pay benefits to Plaintiff, by committing the following acts:

- a. Extreme delay in repairing/rebuilding the dwelling;
- b. Extreme delay in providing Plaintiff with forms necessary to receive reimbursement for personal property;
- c. Refusing to pay Plaintiff for loss of use as provided in the policy.

FOR A THIRD CAUSE OF ACTION
PREJUDGMENT INTEREST

10. Paragraphs 1 through 9 are incorporated herein by reference.

11. Plaintiff is entitled to prejudgment interest, pursuant to Section 34-31-20, Code of Laws of South Carolina (1976), as amended.

WHEREFORE, Plaintiff demands judgment against Defendant for such amount of actual and punitive damages as the trier of facts shall determine, prejudgment interest, for the costs of this action, including a reasonable attorney's fee, and for such further relief as this court deems proper.

S/JOHNNY F. DRIGGERS
108 Central Avenue, Suite 7
Post Office Box 757
Goose Creek, SC 29445
(843) 572-8222
FEDERAL ID #606
ATTORNEY FOR PLAINTIFF

Goose Creek, South Carolina

March 22, 2012.